

1 PENELOPE A. PREOVOLOS (CA SBN 87607)  
2 (PPreovolos@mofo.com)  
3 ANDREW D. MUHLBACH (CA SBN 175694)  
4 (AMuhlbach@mofo.com)  
5 ALEXEI KLESTOFF (CA SBN 224016)  
6 (AKlestoff@mofo.com)  
7 MORRISON & FOERSTER LLP  
8 425 Market Street  
9 San Francisco, California 94105-2482  
Telephone: 415.268.7000  
Facsimile: 415.268.7522

7 *Attorneys for Defendant*  
8 APPLE INC.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE APPLE iPHONE 4 PRODUCTS  
LIABILITY LITIGATION

Case No. 5:10-md-02188-RMW

**DECLARATION OF JEFFREY  
GYOMBER IN SUPPORT OF  
FINAL SETTLEMENT APPROVAL**

Date: July 13, 2012  
Time: 9:00 am  
Place: Courtroom 6  
The Honorable Ronald Whyte

I, Jeffrey Gyomber, declare and state:

1. I am a Senior Consultant at Kurtzman Carson Consultants LLC ("KCC"), located  
at 75 Rowland Way, Suite 250, Novato, California. I am over 21 years of age and am not a  
party to this action. I have personal knowledge of the facts set forth herein and, if called as a  
witness, could and would testify competently thereto.

2. The purpose of this declaration is to provide the Parties and the Court with a  
summary and the results of the work performed by KCC related to the Notice Procedures for  
the In Re Apple iPhone 4 Products Liability Litigation settlement following the Preliminary  
Approval.

1           3. KCC was retained to, among other tasks, email the Summary Notice of  
 2 Settlement (“Summary Email Notice”) to class members with valid email addresses, and  
 3 format the Notice of Pendency and Proposed Settlement of Class Action (the “Notice”) and  
 4 the Claim Form, Instructions, and Release (the “Claim Form”) to be mailed to class members  
 5 who request them. Copies of the Summary Email Notice, Notice and Claim Form are  
 6 attached hereto as Exhibits A, B, and C, respectively.

7           4. On March 5, 2012, KCC received from the Defendant a computerized list of  
 8 18,134,168 names and email addresses, which represented all United States residents who  
 9 had registered their iPhone 4 units with the Defendant and provided an email address.

10          5. To prepare the list of email addresses for distribution of the Summary Email  
 11 Notice, KCC reviewed the list of 18,134,168 records and removed 2,415,849 duplicate email  
 12 addresses. KCC also identified and withheld 4,039 email addresses belonging to Apple  
 13 employees, as identified by email addresses with an Apple domain (@apple.com). Apple  
 14 employees do not qualify for benefits under the settlement. KCC also identified and  
 15 withheld one email address in an invalid form. The email list was finalized with 15,714,279  
 16 email address records.

17          6. On or before March 28, 2012, I caused an Interactive Voice Response (the  
 18 “IVR”) system to be established (877-417-7234) to provide information about the settlement  
 19 and to record requests for Notice Packets.

20          7. On or before March 28, 2012, I caused a website to be established (<http://www.iphone4settlement.com/>) to provide information about the settlement, to allow Class  
 21 Members the ability to upload images of their Claim Forms on-line, and to allow Class  
 22 Members to download copies of the Notice.

24          8. Starting on March 28, 2012 and ending on April 10, 2012, I caused the Summary  
 25 Email Notice to be emailed to each of the 15,714,279 class members with email addresses.

26          9. As of May 29, 2012, 8,462 calls have been received by the IVR. 4,760 of those  
 27 callers requested a Notice and Claim Form (“Notice Packet”). All Notice Packet requests  
 28 received by May 29, 2012, have been fulfilled.

- 1 10. As of May 29, 2012, the settlement website has received 422,435 visitors.
- 2 11. As of May 29, 2012, 44,043 Claim Forms have been filed by Class Members.
- 3 Additional claims are expected by the claim filing deadline of August 28, 2012.

5 I declare under penalty of perjury under the laws of California that the foregoing is  
6 true and correct.

Jeffrey Gyomber  
Jeffrey Gyomber

